

Attorney's Docket No: B1055/7004 (JRV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lipscombe et al.  
Serial No.: Not assigned  
Filed: Herewith  
For: HUMAN N-TYPE CALCIUM CHANNEL ISOFORM AND USES THEREOF  
Examiner: Unknown  
Art Unit: Unknown



Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

[X] This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II - Information Cited

A. [X] The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. [ ] The Applicant hereby makes the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:



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Telephone (617) 720-3500

Docket No. B1055/7004 (JRV)  
Dated: December 28, 2001  
**xNDD**

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

APPLICATION NO.: **unknown**ATTY. DOCKET NO.: **B1055/7004**

FILING DATE: December 28, 2001

APPLICANT: Lipscombe et al.

GROUP ART UNIT:

EXAMINER:

Sheet

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of

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10/033026  
12/28/01  
US PTO  
10/033026

## **U.S. PATENT DOCUMENTS**

| Examiner's Initials# | Cite No. | U.S. Patent Document |           | Name of Patentee or Applicant of Cited Document | Date of Publication or of issue of Cited Document<br>MM-DD-YYYY |
|----------------------|----------|----------------------|-----------|---|---|
|                      |          | Number               | Kind Code |   |   |
|                      | A1*      | 5,429,921            |           | Harpold et al.                                  |   |
|                      |          |                      |           |   |   |

## **FOREIGN PATENT DOCUMENTS**

| Examiner's Initials# | Cite No. | Foreign Patent Document |          |           | Name of Patentee or Applicant of Cited Document<br>(not necessary) | Date of Publication of Cited Document<br>MM-DD-YYYY | Translation (Y/N) |
|----------------------|----------|-------------------------|----------|-----------|--|---|-------------------|
|                      |          | Office/Country          | Number   | Kind Code |  |   |                   |
|                      | B1*      | WO                      | 98/11131 |           | American Home Products   | 03-19-1998  |                   |
|                      | B2*      | WO                      | 95/04822 |           | SIBIA  | 02-16-1995  |                   |
|                      | B3*      | WO                      | 93/04083 |           | SIBIA  | 03-04-1993  |                   |

## **OTHER ART — NON PATENT LITERATURE DOCUMENTS**

| Examiner's Initials# | Cite No | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|----------------------|---------|---|-------------------|
|                      | C1*     | ZHANG et al., <i>Nature</i> 372: 97-100 (1994)  |                   |
|                      | C2*     | WILLIAMS et al., <i>Science</i> 257: 389-395 (1992)   |                   |
|                      | C3*     | SOONG et al., <i>Science</i> 260: 1133-1136 (1993)  |                   |
|                      | C4*     | MINTZ et al., <i>Neuron</i> 9: 85-95 (1992)   |                   |
|                      | C5*     | MAINEN and SEJNOWSKI, <i>Science</i> 268: 1503-1509 (1995)  |                   |
|                      | C6*     | MATHUR et al., <i>J. Gen. Physiol.</i> 109: 191-199 (1997)  |                   |
|                      | C7*     | TANG and PAPA ZIAN, <i>J. Gen. Physiol.</i> 109: 301-311 (1997)   |                   |
|                      | C8*     | STARR et al., <i>Proc. Natl. Acad. Sci. USA</i> 89: 5621-5625 (1991)  |                   |
|                      | C9*     | YU et al., <i>Proc. Natl. Acad. Sci. USA</i> 89: 10494-10498 (1992)   |                   |
|                      | C10*    | NAKAI et al., <i>Proc. Natl. Acad. Sci. USA</i> 91: 1014-1018 (1994)  |                   |
|                      | C11*    | LIN et al., <i>J. Neuroscience</i> 19(13): 5322-5331 (1999)   |                   |
|                      | C12*    | LIGON et al., <i>J. Biol. Chem.</i> 273(22): 13905-13911 (1998)   |                   |
|                      | C13*    | HINES and CARNEVALE, <i>Neural Computation</i> 12: 995-1007 (2000)  |                   |
|                      | C14*    | JONES and MARKS, <i>J. Gen. Physiol.</i> 94: 151-167 (1989)   |                   |
|                      | C15*    | McCARTHY and TANPIENGCO, <i>J. Neuroscience</i> 12: 2225-2234 (1992)  |                   |

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/096,776, filed June 12, 1998, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

|   |   |    |   |                                 |  |                                     |  |
|---|---|----|---|---------------------------------|--|-------------------------------------|--|
| <b>FORM PTO-1449/A and B (Modified)</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |   |    |   | APPLICATION NO.: <b>unknown</b> |  | ATTY. DOCKET NO.: <b>B1055/7004</b> |  |
|   |   |    |   | FILING DATE: December 28, 2001  |  |                                     |  |
|   |   |    |   | APPLICANT: Lipscombe et al.     |  |                                     |  |
|   |   |    |   | GROUP ART UNIT:                 |  | EXAMINER:                           |  |
| Sheet   | 2 | of | 2 |                                 |  |                                     |  |

### U.S. PATENT DOCUMENTS

| Examiner's<br>Initials# | Cite<br>No. | U.S. Patent Document |              | Name of Patentee or Applicant of Cited<br>Document | Date of Publication or of issue<br>of Cited Document<br>MM-DD-YYYY |
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### FOREIGN PATENT DOCUMENTS

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|-------------------------|-------------|-------------------------|--------|--------------|---|---|----------------------|
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### OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's<br>Initials# | Cite<br>No | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s),<br>publisher, city and/or country where published. | Translation<br>(Y/N) |
|-------------------------|------------|---|----------------------|
|                         | C16*       | LIN et al., <i>Neuron</i> 18: 153-166, 1997   |                      |
|                         | C17*       | SUTTON et al., <i>Soc. Neurosci. Abs.</i> 24:21, 1998   |                      |
|                         | C18*       | LIPSCOMBE et al. <i>Nature</i> 340:639-642, 1989  |                      |
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